



Reissue Serial No.: 09/755,320

CERTIFICATE OF MAILING

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Wendy A. Frick

Signed: _____

Wendy A. Frick

Customer Number

24024

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of: _____)

U.S. Patent No. 5,856,121 _____)

Issued: January 5, 1999 _____)

Inventors: David H. GORSKI et al. _____)

Group Art Unit: 1647

Reissue Serial No.: 09/755,320 _____)

Examiner: Saoud, Christine J

Filing Date of Reissue Appln.: January 5, 2001 _____)

For: **GROWTH ARREST HOMEBOX** _____)
GENE (AS AMENDED) _____)

Attorney Docket No. 22311/04013

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION
TO CORRECT "ERRORS" STATEMENT UNDER 37 CFR 1.175

Dear Sir:

I hereby declare:

1. I am authorized to act on behalf of Case Western Reserve University, and the title of my position at Case Western Reserve University is Asst VP - Biomedical Science
2. Every error in the patent which was corrected in the present reissue application, and is not covered by the prior declaration submitted with this application, arose without any deceptive intent on the part of the applicant.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

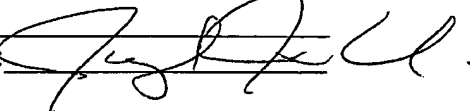
statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

03/16/05

Date

On behalf of Case Western Reserve University

Name:

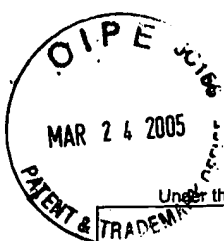


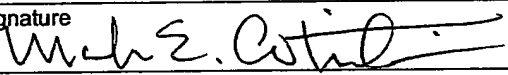
Joseph Jankowski, Ph.D.

Assistant Vice President - Biomedical Sciences

Technology Transfer

CASE WESTERN RESERVE UNIVERSITY



REISSUE PATENT APPLICATION		Docket Number (Optional)	
STATEMENT AS TO LOSS OF ORIGINAL PATENT		22311/04013	
I hereby state that:			
I am the applicant for a reissue patent based on the original patent identified below.			
Name of Inventor(s)/Assignee(s)			
Inventors: David H. GORSKI, et al.		Assignee: Case Western Reserve University	
Patent Number			
5,856,121			
Title of Invention			
GROWTH ARREST HOMEBOX GENE			
Reissue application number (if known)			
09/755,320			
The ribboned original patent grant is lost or inaccessible.			
Signature			
			
Typed or printed name		Date	
Mark E. Coticchia			9/29/04
Title (e.g., inventor(s), officer of assignee)			
Vice President for Research and Technology Management, Case Western Reserve University			

This collection of information is required by 37 CFR 1.178. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. The deposited cDNA molecule is the same cDNA molecule described in the application.


4. With respect to the permanence of the deposited DNA molecule, the depository is an official depository, in accordance with the Budapest Treaty for the above deposited molecule.

5. I affirm that should the deposited molecule mutate, become nonviable or be inadvertently destroyed, applicants will replace such deposited molecule for at least 30 years from the date of the original deposit, or at least five years from the date of the most recent request for release of a sample or if the life of any patent issued on the above-mentioned application, whichever period is longer.

6. With respect to the availability of the deposited molecule, I affirm that the deposit has been made under conditions of assurance of (a) ready accessibility thereto by the public if a patent is granted whereby all restrictions to the availability to the public of the culture so deposited will be irrevocably removed upon the granting of the patent (M.P.E.P. 608.01(p)), and (b) access to the deposit will be available during pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 C.F.R. 1.14 and 35 U.S.C. 122.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

12/5/97
Date


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